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Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventy-eighth session
14 May–1 June 2018
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the combined second and third periodic reports of Montenegro

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 16 February 2018. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

1. Please clarify how the Council for the Rights of the Child established by the Ministry of Labour and Social Welfare ensures a role in the coordination of various ministries in the implementation of the Convention and its Optional Protocols. Please indicate which ministries are represented on the Council, and whether there are plans to ensure greater participation of children in the work of the Council.

2. Please update the Committee on the measures taken to assess the impact and results of all laws and regulations that are relevant for children, including the current national plan of action for children (2013–2017). Please explain what human and financial resources were allocated for its implementation, how its implementation will be assessed, what kind of follow-up policy framework is planned and how it is going to be funded.

3. Please inform the Committee on the actions taken to develop a centralized and modern system for collecting and analysing data, disaggregated, among other things, by age, sex, ethnic or social origin, urban/rural areas, for the effective monitoring and assessment of the impact of laws, policies and programmes on all areas covered by the Convention and its Optional Protocols.

4. Please provide information on the efforts undertaken to adopt a clear provision on the definition of the child in all national legislation, particularly concerning exceptions for marriages under the age of 18. Please also indicate how children are recognized as individual rights holders.

5. Please provide information on the measures taken to reach universal birth registration, particularly for Roma, Ashkali and Egyptian children, children born to refugees and displaced and internally displaced people, and children abandoned by their mothers. Please also indicate whether the State party has undertaken a survey to identify children lacking birth registration and/or identity documentation and the measures taken accordingly.

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6. Please clarify whether the Law on Amendments to the Family Law applies to corporal punishment in all settings, including alternative care settings and childcare institutions, and how its prohibition is being enforced. Please also provide the Committee with information on any public campaigns, and the results thereof, to raise awareness of the negative impact of corporal punishment and to promote non-violent and positive methods of child-rearing.

7. Please provide updated information on the measures taken to prevent and combat all forms of violence against children, including whether there is a mechanism to monitor the number of cases and the extent of abuse, neglect and maltreatment within the family, in schools and in institutional or other care. Please also provide the Committee with information on the measures taken to strengthen psychological and other support, including shelters for children with mental or behavioural issues and for child victims of abuse and neglect.

8. In light of the increased poverty rate reported by the State party in paragraph 117 of its report, please provide the Committee with updated information on the implementation of the strategy for the development of social and child protection (2013-2017) and how its results and impact will be assessed, as well as on any plan for the next period.

9. In view of the fiscal challenges that the State party faces over the next two years, including a projected fiscal deficit of around 8 per cent of gross domestic product, which will contribute to substantial financing needs and a rise in public debt, and the fiscal consolidation measures that have been proposed to address those challenges, please provide information on the measures planned to safeguard the available resources for the realization of children's rights, particularly economic, social and cultural rights.

10. Please provide the Committee with a detailed update on the measures taken to ensure inclusive and equitable quality education for all children, including children living in rural areas, Roma, Ashkali and Egyptian children and children with disabilities. In particular, please explain what measures are being taken to increase the quality of schools, lower the costs of attendance and increase primary school completion rates.

11. Please provide information on the measures taken to implement the new Law on Asylum to ensure the full access of asylum-seeking and refugee children to civil registration, to the social protection system and to health care and psychological support. Please clarify whether the law includes a fair and comprehensive procedure, with adequate procedural guarantees, for determining statelessness.

12. Please provide information on the measures taken to implement the Committee's previous recommendations on the Optional Protocols to the Convention on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, including the criminalization of the recruitment of children into armed groups and the establishment of mechanisms to identify children who may have been involved in armed conflict abroad.

Part II

13. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

(a) New bills or laws, and their respective regulations;

(b) New institutions (and their mandates) or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

14. Please provide consolidated information for the past three years on the budget lines regarding children, particularly with regard to health care, family support, education and the training of administrative personnel, by indicating the percentage of each budget line in terms of the total national budget and gross national product. Please also provide information on the allocation of resources to support Roma, Ashkali and Egyptian children and children with disabilities.

15. Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

(a) All those who work in care institutions accused, indicted and convicted of child abuse and neglect, including sexual abuse and corporal punishment;

(b) Children living in poverty and extreme poverty;

(c) Children working in the informal sector and children in street situations;

(d) Child victims of trafficking and abduction;

(e) Child marriages.

16. Please provide data, disaggregated by, inter alia, age, sex, ethnic and national origin, socioeconomic background and geographic location, for the past three years, on:

(a) The enrolment and completion rates, as percentages, of the relevant age groups in pre-primary, primary and secondary schools;

(b) The number and percentage of students who drop out and repeat;

(c) The teacher-pupil ratio.

17. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) Living in institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

18. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

19. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.